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September 7, 1999

VIA COURIER

Magalie Roman Salas, Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

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SEP 07 1999


FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Re: **Ex Parte Presentation in CC Docket No. 92-105**

Dear Ms. Salas:

On behalf of Telecommunications for the Deaf, Inc. ("TDI"), and pursuant to Section 1.1206 of the Commission's Rules, 47 C.F.R. § 1.1206(a) (1997), this is notice of an *ex parte* presentation in the above-referenced proceeding. Enclosed please find three (3) copies of the presentation in the above referenced proceeding. Please date-stamp the enclosed extra copy of this filing and return it in the postage paid, self-addressed envelope provided. On September 8, 1999, Claude T. Stout, Executive Director of TDI will present the remarks attached to this notice at the Commission's Public Forum on 711 Access to Telecommunications Relay Service, as announced in the June 16, 1999 revised public notice (DA99-1170).

Sincerely,



Andrew D. Lipman
Michael J. Mendelson

Counsel for Telecommunications for the Deaf, Inc.

Enclosure

cc: Claude T. Stout (via facsimile)
Michael J. Mendelson

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**BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20544**

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OFFICE OF THE SECRETARY

In the Matter of:)

The Use of N11 Codes and Other)
Abbreviated Dialing Arrangements)

CC Docket No. 92-105

REMARKS OF TELECOMMUNICATIONS FOR THE DEAF, INC.

FEDERAL COMMUNICATIONS COMMISSION

7-1-1 FORUM

September 8, 1998

I. THE DEMAND FOR 711 TRS ACCESS

As the Commission correctly stated in its First Report and Order and Further Notice of Proposed Rulemaking *In the Matter of the Use of N11 Codes and Other Abbreviated Dialing Arrangements*, telephone relay systems (TRS) are designed to provide persons with speech or hearing disabilities functionally equivalent to the telephone network, and hence, to telephone voice services. Assignment of 711 for relay services helps to meet this goal by eliminating the difficulties that individuals now have with respect to finding relay numbers when they travel state to state, and by reducing the number of digits needed for accessing relay services on a frequent basis. In the Washington, DC metropolitan area alone, some deaf hard of hearing, and speech disabled people need to remember several different 202 and 800 area code numbers for TRS access in the District and Virginia, as well as dedicated numbers for federal government employees and for long distance access. Currently, there are over 100 numbers listed for TRS access in the United States and territories, and 12 more for long distance relay services. There are an additional 76 numbers for TRS customer service in the United States and territories, and four more for nationwide long distance TRS customer service. Furthermore, deaf, hard of hearing, and speech disabled people often must dial multiple numbers to complete a TRS call, as many as 21 digits (11 to reach the relay center and 10 to reach the final destination) in some circumstances.

This complex system is unwieldy at best, and certainly frustrating to anyone who has ever had to rely on TRS in order to participate in the community at large. Furthermore, the current system works as a disincentive for hearing people to place TRS calls to deaf, hard of hearing, and speech disabled people. In effect, it is an obstacle to providing "functionally equivalent" services. This obstacle would remain in the future if voice telephone and/or TTY telephone users could not access TRS through 711.

Once 711 access is readily available, TRS users no longer will be required to remember long strings of numbers and different numbers for different states. Most of the parties who filed comments in the Commission's 1997 proceeding, including local exchange carriers and an overwhelming majority of state government agencies, generally supported assignment of nationwide N11 codes for TRS access. This majority of parties commenting agreed that a uniform N11 code would reduce confusion, provide quicker dialing, and promote TRS use. This Commission has also concluded that an N11 code may significantly facilitate TRS access, thus furthering the goals of both the 1996 Telecommunications Act and the ADA. The introduction and experience of 711 access in Maryland proves these assertions.

The 711 Maryland Relay access program provides an excellent example of the benefits to deaf, hard of hearing, speech disabled people, as well as people without disabilities. Maryland funds its program through fees collected for the Universal Service Trust Fund. This is a fee that is already collected from telephone customers. A mere one month after Maryland began its 711 program, TRS call volume increased by over 13% for calls placed by deaf, hard of hearing, and speech disabled individuals, and by over 23% for TRS calls initiated by individuals making voice calls. This dramatic growth in the volume of TRS calls follows two years of stagnation.

II. EDUCATING THE PUBLIC

The Maryland Relay program has been so successful to date in large part due to its public relations and education campaign. Other 711 relay programs should follow a similar model. All potential users of the 711 TRS can be informed through televised public service announcements, billboards, newspaper and other print media advertisements, and the like. It is important that the public education program begin before the 711 service is activated, and escalate once the service is activated. States and service providers should also consider implementing a "relay partner" initiative, recently started in Maryland. Businesses that join this program, free of charge, incorporate a special relay access logo into their advertising, signage, and marketing materials, to promote the program. Through participation in this program, businesses like banks, movie theaters, restaurants, government agencies, retailers, health care providers, etc. can expand their customer base, attract new business, and increase profits. First Mariner Bank, a "Relay Partner" in Maryland claims that joining the program makes good business sense and provides the bank an opportunity to distinguish itself from competitors.

However, states that are considering to deploy such public relations campaigns are strongly encouraged to also emulate Maryland in another area. States should also create a statewide Advisory Council on the full TRS program. Representatives on this Council for a given state can help to identify contacts in the deaf, hard of hearing, late deafened, deaf blind, and speech disabled communities, the private sector, and the public sector who would benefit from the public relations campaigns on 711. More often than not, state relay administrators do not have full-time staff nor other resources to successfully conduct comprehensive assessment of the state population's needs with the TRS and the 711 feature. Only by meeting the needs of the people who rely on TRS can effectiveness of any public relations campaign be judged. As we

have learned from collaborative efforts with the consumer-industry for the coin-sent paid TRS access via the payphones, industry/government participation at conventions, picnics, fairs, and civic meetings definitely will increase awareness and utilization of the 711 feature with the TRS program.

III. 711 ACCESS SHOULD BE A GATEWAY FOR BOTH HEARING AND DEAF INDIVIDUALS AND 711 USERS SHOULD BE ABLE TO CHOOSE THEIR CARRIER

The Maryland Relay program also demonstrates that it is possible to implement within a reasonable time a 711 gateway offering access to TRS via the local exchange carriers. The Maryland Relay program uses a customer database feature that allows 711 users to store important information including: their name, address, long distance provider, preferred billing method, speed dial numbers outdial restrictions (such as 900 numbers), incoming call blocking, call response type (TTY, voice, ASCII, etc.), language type (English, Spanish, ASL), and customer notes regarding calling procedure. If other states implement similar programs, 711 users will be able to have their choice of carriers, thus eliminating a problem and source of frustration that exists for TRS users under the current system. TTY users and others who use voice, VCO, HCO, STS, or a combination of two or more are entitled to using their preferred telephone carriers to enjoy significant quality service, cost savings, with long distance calls, etc. We have the right to enjoy the carrier of choice whenever we access 711 to the TRS. It is important to recognize that TRS users be able to choose their carrier of choice whether on a presubscribed basis, or a call by call basis. How we access the TRS cannot become a service barrier to the individuals who rely on TRS. Overall effectiveness would improve significantly if the TRS provider would know the TRS user's preferred long distance carrier beforehand from the database of the user's local exchange carrier.

Of equal importance is the ability of the TRS user to choose a type of call response, thus keeping any future TRS call session as quick and non-confusing for the user. By implementing this feature, the user will not have to repeat his or her preferences to the communications assistant or relay operator every time a call is placed. A system needs to be designed that sets TTY as the default if no call response preference is selected because the majority of TRS calls are initiated by TTY users. Outreach activities by the state relay administrators or the contracted relay providers can encourage TRS users to submit their information, thus initiating or revising their call profiles. Furthermore, it is important to note that in states where there TRS multivendoring is permitted, the 711 set-up includes a specification in the call profile on a user's preference of a TRS provider.

IV. IMPLEMENTATION OF 711 ACCESS

TDI urges that states make every effort to implement 711 access in the shortest possible time. We are aware that each state has a varied number of telephone service providers, and that consultations must be made with all service providers involved to resolve network configuration

and connectivity issues in order to make the switched based 711 system work successfully. We propose that the FCC notify all states that they have up to two years to ensure full implementation of the TRS service feature.

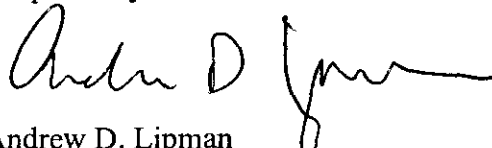
In Maryland, TTY and other special arrangement callers experience longer response time when dialing 711 TRS service. This is because the current set-up requires communication assistants to respond first in voice, twice, before shifting to responding on TTY and other means. This takes a longer time for deaf, hard of hearing, and speech disabled individuals to access the TRS than the to access 800-number option. TDI proposes that if technologically possible, the FCC require that the response time be equal for any caller, be they TTY, voice or any other special arrangement that access the TRS via the 711 feature or the 800-number. Therefore, 85% of 711 TRS calls should still be required to be answered within 10 seconds in compliance with the Commission mandatory minimum minutes standard.

While the use of TRS is almost always processed on the wireline telephone network, TDI fully endorses any efforts by the telecommunications industry in the near future to incorporate 711 feature in the cellular/wireless service networks for voice, TTY, HCO, VCO, STS, and other callers to access TRS. We also recognize the problems experiences by users who attempt to access 711 through ASCII or computers. We encourage industry and government to work closely with consumers to resolve this engineering dilemma as soon as possible.

V. CONCLUSION

The Maryland TRS experience with the 711 service feature has been substantially favorable and paves the way for the FCC to issue final rules for 711 implementation across the United States. TDI is confident that specific details can be worked out for outreach activities on 711 by relay service program administrators and TRS service providers in the individual states. However, guidance and resource support on such 711 and other TRS outreach activities can only be given properly by individuals and service professionals that serve on the respective statewide TRS advisory councils. The 711 access code shortcut to the telephone network dramatically enhances empowerment for, and sensitivity and awareness to specific communication issues with individuals who are deaf, hard of hearing, late deafened, deaf blind, and even those without disabilities. As a result, 711 access will help to assist the development of prospects for advanced employment, educational opportunities, community interaction, civic participation, and commerce for the above mentioned constituency groups.

Respectfully Submitted



Andrew D. Lipman
Counsel for Telecommunications for the Deaf, Inc.